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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/270,844	03/18/1999	SHINICHI HAGIWARA	35.G2367	3085

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EXAMINER

RAO, ANAND SHASHIKANT

ART UNIT

PAPER NUMBER

2613

DATE MAILED: 12/13/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

*km*

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/270,844	HAGIWARA, SHINICHI
	Examiner	Art Unit
	Andy S. Rao	2613

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 1-18 is/are pending in the application.
  - 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-18 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

- 11) The proposed drawing correction filed on \_\_\_\_\_ is: a) approved b) disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

- 12) The oath or declaration is objected to by the Examiner.

#### Priority under 35 U.S.C. §§ 119 and 120

- 13) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) All
  - b) Some \*
  - c) None of:
    1. Certified copies of the priority documents have been received.
    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.
- 14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
  - a) The translation of the foreign language provisional application has been received.
- 15) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

#### Attachment(s)

1) <input type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.	6) <input type="checkbox"/> Other: _____

**DETAILED ACTION**

***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/23/02 as Paper 11 has been entered.

***Response to Amendment***

2. Applicant's arguments with respect to claims 1-18 as filed in Paper 9 on 8/21/02 have been considered but are moot in view of the new ground(s) of rejection addressing the newly added limitations.

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
4. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sugiyama in view of Kazumi.

Sugiyama discloses an apparatus that displays images recorded by a camera (Sugiyama: column 4, lines 37-45), said apparatus comprising: a reading device (Sugiyama: column 4, lines

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58-60) that reads information used in image recording by the camera (Sugiyama: column 4, lines 45-50); and an output device that outputs signals to display images based on the information used by said reading device (Sugiyama: column 4, lines 17-25), as in claim 1. However, Sugiyama fails to disclose the use of focus area information read by said reading device, such that the display image are centered around the focus area used in image recording by the camera. Kazumi discloses that for a camera taking photographs (Kazumi column 2, lines 17-45), it is known to record focus area information for subsequent display, such that the display images are centered around the focus area used in image recording by the camera (Kazumi: column 10, lines 65-68; column 11, lines 1-5; column 14, lines 1-22 & 52-68) in order to aid in video picture reproduction (Kazumi: column 16, lines 45-68; column 17, lines 1-2) and further discloses recording this information on a magnetic medium (Kazumi: column 16, lines 35-43). Accordingly, given this advantageous teaching of recording and implementing focus area information for a captured image as by Kazumi, it would have been obvious for one of ordinary skill in the art to incorporate the focus area information as information to be used for Sugiyama's image display apparatus in order to aid in the automatic zoom feature disclosed therein (Sugiyama: column 8, lines 23-25). The Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has all of the features of claim 1.

Regarding claim 2, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has that the focus area information representing a position of the focus area used in the image recording by the camera (Kazumi: column 11, lines 2-5; column 14, lines 9-11), as in the claim.

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Regarding claim 3, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has the output device processing the images recorded by the camera so that a position of the focus area used in the image recording by the camera is centered in a display, and outputs signals for displaying the processed images (Sugiyama: column 4, lines 15-30; column 9, lines 5-10), as in the claim.

Regarding claim 4, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has the output device using as a reference point a position of the focus area used in the image recording by the camera to enlarge the images recorded by the camera, and outputs signals for displaying the enlarged images (Sugiyama: column 8, lines 20-25 & 60-65), as in the claim.

Regarding claim 5, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has a reading device that includes a magnetic head that reads magnetic information recorded on a photographic film used in the camera (Sugiyama: column 4, lines 58-60), as specified.

Sugiyama discloses an apparatus that displays images recorded by a camera (Sugiyama: column 4, lines 37-45), said apparatus comprising: an image capture sensor for capturing images optically recorded on a photographic film (Sugiyama: column 5, lines 5-35); a reading device (Sugiyama: column 4, lines 58-60) that reads information magnetically recorded on the photographic film (Sugiyama: column 4, lines 35-50); and an output device that processes and outputs the images captured by the image-capture sensor by using the information read said reading device (Sugiyama: column 6, lines 45-60), including information regarding a focus area used during image capture (Sugiyama: column 4, lines 17-25), as in claim 6. However, Sugiyama

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fails to disclose the use of focus area information as the read information for display, such that the display images are centered around the focus area used in image recording by the camera. Kazumi discloses that for a camera taking photographs (Kazumi column 2, lines 17-45), it is known to record focus area information for subsequent display, such that the display images are centered around the focus area used in image recording by the camera (Kazumi: column 10, lines 65-68; column 11, lines 1-5; column 14, lines 1-22 & 52-68) in order to aid in video picture reproduction (Kazumi: column 16, lines 45-68; column 17, lines 1-2) and further discloses recording this information on a magnetic medium (Kazumi: column 16, lines 35-43).

Accordingly, given this advantageous teaching of recording and implementing focus area information for a captured image as by Kazumi, it would have been obvious for one of ordinary skill in the art to incorporate the focus area information as information to be used for Sugiyama's image display apparatus in order to aid in the automatic zoom feature disclosed therein (Sugiyama: column 8, lines 23-25). The Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has all of the features of claim 6.

Regarding claim 7, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has a storage device that stores images captured by said image capture sensor, wherein said output device processes and outputs images stored in said storage device (Sugiyama: column 7, lines 30-65), as in the claim.

Regarding claim 8, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has the output device processing the images recorded by the camera so that a position of the focus area used in the image recording by the camera is centered in a display, and

outputs signals for displaying the processed images (Sugiyama: column 4, lines 15-30; column 9, lines 5-10), as in the claim.

Regarding claim 9, the Sugiyama apparatus, now incorporating Kazumi's use of focus area information, has the output device using as a reference point a position of the focus area used in the image recording by the camera to enlarge the images recorded by the camera, and outputs signals for displaying the enlarged images (Sugiyama: column 8, lines 20-25 & 60-65), as in the claim.

Sugiyama discloses a method that displays images recorded by a camera (Sugiyama: column 4, lines 37-45), said method comprising the steps of: reading information used in image capture (Sugiyama: column 4, lines 45-50); outputting signals to display images based on the information used by said reading device in the reading step (Sugiyama: column 4, lines 17-25), as in claim 10. However, Sugiyama fails to disclose the use of focus area information as the read information in the reading step, such that the display images are centered around the focus area used in image recording by the camera. Kazumi discloses that for a camera taking photographs (Kazumi column 2, lines 17-45), it is known to record focus area information for subsequent display, such that the display images are centered around the focus area used in the image recording by the camera (Kazumi: column 10, lines 65-68; column 11, lines 1-5; column 14, lines 1-22 & 52-68) in order to aid in video picture reproduction (Kazumi: column 16, lines 45-68; column 17, lines 1-2) and further discloses recording this information on a magnetic medium (Kazumi: column 16, lines 35-43). Accordingly, given this advantageous teaching of recording and implementing focus area information for a captured image as by Kazumi, it would have been obvious for one of ordinary skill in the art to incorporate the focus area information as

information to be used for Sugiyama's image display method in order to aid in the automatic zoom feature disclosed therein (Sugiyama: column 8, lines 23-25). The Sugiyama method, now incorporating Kazumi's use of focus area information, has all of the features of claim 10.

Regarding claim 11, the Sugiyama method, now incorporating Kazumi's use of focus area information, has that focus area information representing a position of said focus area used in the image recording by said camera (Kazumi: column 11, lines 2-5; column 14, lines 9-11), as in the claim.

Regarding claim 12, the Sugiyama method, now incorporating Kazumi's use of focus area information, has the outputting step including processing the images recorded by said camera so that a position of said focus area used in the image recording by said camera is centered in a display, and outputs signals for displaying the processed images (Sugiyama: column 4, lines 15-30; column 9, lines 5-10), as in the claim.

Regarding claim 13, the Sugiyama method, now incorporating Kazumi's use of focus area information, has the outputting step using as a reference point a position of said focus area used in the image recording by said camera to enlarge the images recorded by said camera, and outputs signals for displaying the enlarged images (Sugiyama: column 8, lines 20-25 & 60-65), as in the claim.

Regarding claim 14, the Sugiyama method, now incorporating Kazumi's use of focus area information, has the reading step includes a magnetic head that reads magnetic information recorded on a photographic film used in said camera (Sugiyama: column 4, lines 58-60), as specified.

Sugiyama discloses a method that displays images recorded by a camera (Sugiyama: column 4, lines 37-45), said method comprising: capturing images by an image capture sensor optically recorded on a photographic film (Sugiyama: column 5, lines 5-35); reading information magnetically recorded on the photographic film (Sugiyama: column 4, lines 35-50); and processing and outputting images captured by the image-capture sensor by using the information read said reading device (Sugiyama: column 6, lines 45-60), including information regarding a focus area used during image capture (Sugiyama: column 4, lines 17-25), as in claim 15. However, Sugiyama fails to disclose the use of focus area information as the read information in the reading step, such that the display images are centered around the focus area used in image recording by the camera. Kazumi discloses that for a camera taking photographs (Kazumi column 2, lines 17-45), it is known to record focus area information for subsequent display, such that the display images are centered around the focus area used in image recording by the camera (Kazumi: column 10, lines 65-68; column 11, lines 1-5; column 14, lines 1-22 & 52-68) in order to aid in video picture reproduction (Kazumi: column 16, lines 45-68; column 17, lines 1-2) and further discloses recording this information on a magnetic medium (Kazumi: column 16, lines 35-43). Accordingly, given this advantageous teaching of recording and implementing focus area information for a captured image as by Kazumi, it would have been obvious for one of ordinary skill in the art to incorporate the focus area information as information to be used for Sugiyama's image display method in order to aid in the automatic zoom feature disclosed therein (Sugiyama: column 8, lines 23-25). The Sugiyama method, now incorporating Kazumi's use of focus area information, has all of the features of claim 15.

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Regarding claim 16, the Sugiyama method, now incorporating Kazumi's use of focus area information, has a storing step that stores images captured by said image capture sensor, wherein said processing and outputting step processes and outputs the stored image (Sugiyama: column 7, lines 30-65), as in the claim.

Regarding claim 17, the Sugiyama method, now incorporating Kazumi's use of focus area information, has processing and outputting step including processing of the images recorded by the camera so that a position of the focus area used in the image recording by the camera is centered in a display, and outputs signals for displaying the processed images (Sugiyama: column 4, lines 15-30; column 9, lines 5-10), as in the claim.

Regarding claim 18, the Sugiyama method, now incorporating Kazumi's use of focus area information, has the processing and outputting step includes using as a reference point a position of said focus area used in the image recording by said camera to enlarge the images recorded by said camera, and outputs signals for displaying the enlarged images (Sugiyama: column 8, lines 20-25 & 60-65), as in the claim.

### ***Conclusion***

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andy S. Rao whose telephone number is (703)-305-4813. The examiner can normally be reached on Monday-Friday 8 hours.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris S. Kelley can be reached on (703)-305-4856. The fax phone numbers for the

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organization where this application or proceeding is assigned are (703)-308-6606 for regular communications and (703)-308-6606 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)-305-4700.

Andy S. Rao  
Primary Examiner  
Art Unit 2613

ANDY RAO  
PRIMARY EXAMINER

asr  
December 12, 2002